

TECHNICAL MEMORANDUM

Utah Coal Regulatory Program

May 2, 2012

TO: Internal File

THRU: Steve Christensen, Lead SKC

FROM: Ingrid Campbell, Biologist/Cultural Resources VC

RE: Addition of 50 Acres to Permit Boundary, Canyon Fuel Company, Dugout Mine, Permit C007/0039, Task ID #4091

SUMMARY:

On March 15, 2012, the Division received an application from Canyon Fuel Company (CFC) to add 50 acres to the Dugout Mine Permit Boundary. This boundary addition would enable CFC to mine the Gil 4b East and West panels located in portions of sections 23, 25 and 26 T13SR12E by continuous mining as development mining. The pillars will remain following mining and no subsidence is anticipated.

This application is recommended for approval.

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TECHNICAL ANALYSIS:

OPERATION PLAN

FISH AND WILDLIFE INFORMATION

Regulatory Reference: 30 CFR Sec. 784.21, 817.97; R645-301-322, -301-333, -301-342, -301-358.

Analysis:

Bald and Golden Eagles

In the first submittal of this application, Canyon Fuel Company added text on page 3-25 stating that nests in the vicinity of the 50 acre expansion area were last surveyed by DWR in 2006. The application stated that, "During the surveys in 2002 through 2006, one nest could not be located, one continued to be inactive and one was considered dilapidated therefore the DWR deemed it unnecessary to survey the area of the nests after 2006. There is no letter or documentation of this statement from DWR. Regardless, inactivity does not guarantee that the territory will remain inactive in the future. All areas that could be impacted from subsidence must be surveyed for raptor activity prior to mining according to the Division's Raptor survey guidelines. The 50 acre expansion does include areas that will be mined with a continuous miner rather than longwalling, but it is adjacent to areas that will be longwalled and to cliff escarpments (according to plate 3-3). This text must be removed from the application. The area should be surveyed for raptor activities over longwall panel areas.

added text was removed from the application. CFC understands the requirements of raptor surveys in areas that could be impacted by mining.

Findings:

The information provided is considered adequate to meet the minimum regulatory requirements for this section.

RECOMMENDATIONS:

This application is recommended for approval at this time.